

# FINAL BILL REPORT

## ESSB 6479

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Synopsis as Enacted

**Brief Description:** Providing caregivers authority to allow children placed in their care to participate in normal childhood activities based on a reasonable and prudent parent standard.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Frockt, Fain, Darneille, Kohl-Welles, Rivers and Kline).

**Senate Committee on Human Services & Corrections**  
**House Committee on Early Learning & Human Services**

**Background:** A child who is dependent may be placed in out-of-home care by the Department of Social and Health Services (DSHS). A dependent child is a child who has been abandoned, abused, or neglected by a person legally responsible for the child's care; who has no parent or guardian capable of adequately caring for the child; or who is receiving extended foster care services.

**Summary:** Caregivers for a child placed in out-of-home care by DSHS have the authority to provide or withhold permission to allow a child in their care to participate in normal childhood activities without prior approval of a caseworker, DSHS, or court, based on a reasonable and prudent parent standard.

Normal childhood activities include but are not limited to extracurricular, enrichment, and social activities, and may include overnight activities outside the direct supervision of the caregiver for over 24 hours and up to 72 hours.

A reasonable and prudent parent standard is characterized by thoughtful parental decision making intended to maintain the child's health, safety, and best interest while encouraging the child's emotional and developmental growth. Authorizations must comply with the provisions of an existing safety plan developed by DSHS or court order. Neither the caregiver nor DSHS may be held liable for injuries to a child based on authorizations under the reasonable and prudent parent standard unless the actions or inactions of either constitute willful or wanton misconduct.

Caseworkers must discuss a child's interest and pursuit of normal childhood activities during monthly meetings with parents. Caseworkers must communicate the opinions of parents

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concerning their children's participation in normal childhood activities to foster parents so that the parents' wishes may be appropriately considered.

A background check is not required for persons who may have unsupervised access to children based on caregiver authorizations pursuant to the reasonable and prudent parent standard.

**Votes on Final Passage:**

Senate	48	1	
House	97	0	(House amended)
Senate	37	12	(Senate concurred)

**Effective:** June 12, 2014